

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
ROANOKE DIVISION**

**ANDREW PATRICK WINDSOR,** )  
Plaintiff, )  
v. )  
**UNITED STATES DEPARTMENT** )  
**OF JUSTICE, et al.,** )  
Defendants. )  
) Civil Action No. 7:05-CV-00207  
)  
) **FINAL ORDER**  
)  
) By: Hon. Jackson L. Kiser  
) Senior United States District Judge

In accordance with the Memorandum Opinion entered this day, it is hereby **ADJUDGED** and **ORDERED** that this action shall be and hereby is **DISMISSED** without prejudice pursuant to 28 U.S.C. § 1915A(b)(1). This case shall be **STRICKEN** from the active docket of the court

Plaintiff is advised that the dismissal of this cause of action constitutes a third "strike" under 28 U.S.C. § 1915(g).<sup>1</sup> Accordingly, Windsor is hereby **NOTIFIED** that he cannot file any future civil actions without prepayment of the \$250.00 fee required for filing civil actions unless he demonstrates that he is "under imminent danger of serious physical injury." § 1915(g).

The Clerk of the Court is directed to send certified copies of this Order and accompanying Memorandum Opinion to the plaintiff and counsel of record for the defendants.

**ENTER:** This 12<sup>th</sup> day of January, 2006.

  
\_\_\_\_\_  
Senior United States District Judge

<sup>1</sup>The court takes judicial notice of the fact that plaintiff has had at least two previous civil actions dismissed by the United States District Court for the Western District of Virginia pursuant to 28 U.S.C. § 1915A(b)(1). See Windsor v. B.G. Compton, Warden, U.S.P. Lee Co, et al, Civil Action No. 7:04cv00065 and Windsor v. Mr. Polver, Civil Action No. 7:04cv00413.